

CITY UTILITIES COMMITTEE

MINUTES

SEPTEMBER 26, 2006

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, September 26, 2006 at 9:50 a.m.**, in Committee Room #2. The following members were present:

The Honorable Ceasar C. Mitchell, Chair
The Honorable Ivory L. Young, Jr., Vice-Chair
The Honorable Natalyn M. Archibong
The Honorable Howard Shook
The Honorable Clair Muller

The following member was absent:

The Honorable Carla Smith

Others present at the meeting were: Marc Goncher, Stephanie Grant, Megan Middleton, Law Department; Leslie Ward, City Auditor; Commissioner Robert Hunter, Deputy Commissioners Shelia Pierce, George Barnes and Sally Mills, Department of Watershed Management; Commissioner David E. Scott, Deputy Commissioner Donna Owens, Sandy Jennings and Nursef Kadir, Department of Public Works; Cathy Martin Office of Procurement; Greg Pridgeon and Joe Morris, Office of the Mayor; public and Council Staff.

Chairman Mitchell called the meeting to order at 9:50 a.m. after declaring a quorum present. He then proceeded with the following order of business.

- A. ADOPTION OF AGENDA - ADOPTED**
- B. APPROVAL OF MINUTES - APPROVED**
- C. AN OVERVIEW OF THE WATER/SEWER COLLECTION PROCESS - LESLIE WARD - CITY AUDITOR**
- D. ORDINANCES FOR SECOND READING**

06-O-1958 (1) A **Substitute** Ordinance by City Utilities Committee authorizing the Mayor or her designee to enter into a Bridge Agreement between the Board of Regents of the University System of Georgia by and on behalf of Georgia State University and the City of Atlanta, for the renovation and expansion of a presently existing pedestrian bridge, for the waiving of associated monthly rental fees; and for other purposes. **(Referred back from Full Council 9/18/06)**
(Councilmember Young made a motion to approve.)
FAVORABLE

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ORDINANCES FOR SECOND READING (CONT'D)

- 06-O-2037 (2) An Ordinance by City Utilities Committee to amend the 2006-2007 (Water and Wastewater Bond Fund) Budget by transferring funds in the amount of \$141,900.00 from the Reserve for Appropriations to add funding for Facility Roofing Water Annual Contract Project; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 06-O-2138 (3) An Ordinance by Councilmembers Kwanza Hall and Howard Shook authorizing the Mayor to enter into an agreement between AmericasMart Real Estate, LLC, Urban Land, LLC and the City of Atlanta for the erection of seven pedestrian bridges at specified airspace rental rate; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

E. RESOLUTIONS

- 06-R-2063 (1) A Resolution by City Utilities Committee authorizing the Mayor or her designee encumber Phase Three (3) Funding in the amount of \$4,785,688.80 for the agreement with Gunter Nash, Incorporated for FC-3004007825, Custer Avenue Storage and Dechlorination Facility Project; on behalf of the Department of Watershed Management; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

- 06-R-2064 (2) A Resolution by City Utilities Committee establishing the Compensation Limits for Parsons/US Infrastructure, JV for FC-7568-03, Program and Construction Management Services for the Quality of Life Bond Program, on behalf of the Department of Public Works in an amount not to exceed \$1,851,064.13; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes.

(Councilmember Shook made a motion to approve.)

FAVORABLE

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RESOLUTIONS (CONT'D)

- 06-R-2115 (3) A Resolution by City Utilities Committee authorizing the Mayor to issue a **Notice to Proceed** to CH2M Hill/Williams, Russell & Johnson, JV for FC-7619-03C, Annual Contract for Architectural and Engineering Services, for the purpose of providing the Engineering and Design Services for the City of Atlanta Stormwater Management Implementation Program, on behalf of the Department of Watershed Management, in an amount not to exceed \$1,230,750.00; all contracted work will be charged to and paid from Various Fund, Account and Center Numbers; and for other purposes. **(Councilmember Archibong made a request to the Committee to approve on condition of getting a copy of the scope of work and the budget from the Law Department and the Department of Watershed Management before Monday's Full Council. Councilmember Muller made a motion to approve on condition with one abstention.)**

FAVORABLE ON CONDITION (1 ABSTENTION) YOUNG

- 06-R-2129 (4) A Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with T3 Design Associates, Inc., for FC-3006007928, Perry Boulevard Streetscapes Project, on behalf of the Department of Public Works, in an amount not to exceed \$555,784.50; all contracted work will be charged to and paid from Various Funds, Account and Center Numbers; and for other purposes. **(Councilmember Shook made a motion to approve.)**

FAVORABLE

F. PAPERS HELD IN COMMITTEE

- 06-O-0306 (1) An Ordinance by City Utilities Committee amending the 2006 (1994 G. O. Bond Referendum Fund) Budget by transferring from and to appropriations in the amount of \$852,361.11 to fund the Paving Management and Improvement Program; and for other purposes. **(Held 2/14/06 at the request of Councilmember Muller.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-0472 (2) An Ordinance by Councilmembers C. T. Martin and Ivory L. Young, Jr. to re-name Simpson Road from H. E. Holmes Drive to West Peachtree Street, to Coretta Scott King Drive; to waive various subsections of Section 138-8 of the Code of Ordinances; and for other purposes. **(Held 2/14/06 awaiting decision from Coretta Scott King Commission on the appropriate honor for Mrs. King.)**

HELD

- 06-R-0563 (3) A Resolution by Councilmember Joyce M. Sheperd authorizing the Mayor to enter into an Agreement with Brock Built, LLC providing for the non-standard location of water meters on private property to which the city provides water services; and for other purposes. **(Referred back by Council 3/6/06) (Held 3/14/06 at the request of the Department of Watershed Management so that developer can address the private property concerns.)**

HELD

- 06-O-0937 (4) An Ordinance by Councilmember Clair Muller to amend Article VII of Chapter 74 entitled "**Riparian Buffer Requirements**"; to officially change the administrating Department to Watershed Management, to streamline the review process and clarify the Public Notice Requirements; and for other purposes. **(Held 4/25/06 for further review by the Department of Watershed Management.)**

HELD

- 06-O-1454 (5) An Ordinance by Councilmember Clair Muller **as amended by City Utilities Committee** to amend Chapter 130 Solid Waste Management, Section 130-84, Rates and Charges to limit such rate to apply to lots with a residence; and for the other purposes. **(Amended and held 6/27/06 at the request of the author.)**

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-1573 (6) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or her designee to enter into an Agreement between Hilton Atlanta and the Atlanta Marriott Marquis and the City of Atlanta for the erection of a bridge in accordance with Section 138-25(b) of the City of Atlanta's Code of Ordinances; and for other purposes. **(Held 7/11/06 for further discussions.)**

HELD

- 06-R-1936 (7) A Resolution by Councilmember Ceasar C. Mitchell **as substituted #2 by City Utilities Committee** authorizing payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$79,000.00 as stipulated penalties for the violation of CSO Fecal Coliform Operational Standards at the North Avenue CSO on July 29, 2006, August 8, 2006 and August 15, 2006 and September 5, 2006; the Tanyard Creek CSO on August 15, 2006 and September 13, 2006; Clear Creek CSO on August 20, 2006 and August 28, 2006; and Custer Avenue on August 22, 2006 and September 13, 2006; and Intrenchment Creek on and September 15, 2006 and September 18, 2006 pursuant to the CSO Consent Decree, Civil Action File No. 1:95-CV-2550-TWT; to identify the source of funding; and for other purposes.
(Councilmember Muller made a motion to approve on substitute #2.)

FAVORABLE ON SUBSTITUTE #2

- 06-O-1947 (8) An Ordinance by City Utilities Committee to amend Sections 138-25 and 138-26 of the Official Code of Ordinances of the City of Atlanta, Georgia, to authorize the Commissioner of Public Works to determine the monthly rental rates for the air space or subsurface space occupied by bridges, tunnels of similar structures across streets or alleys and balconies over sidewalks of the City of Atlanta; and for other purposes.
(Held 9/18/06 at the request of the Law Department.)

HELD

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PAPERS HELD IN COMMITTEE (CONT'D)

- 06-O-2048 (9) An Ordinance by Councilmember Ivory L. Young, Jr. authorizing the Mayor or her designee to amend the City of Atlanta's Code of Ordinances Section 138-5 Alleys, so as to define the ownership of the Alleys and maintenance thereof of the Alleys in the City of Atlanta, to immediately begin the defined statutory procedure for abandoning the City of Atlanta's interest in alley; to request Fulton County to amend the County's Tax Map and to properly adjust all property within Fulton County to properly access property value and taxes and that millage rate reduction would occur equal to the tax increase; and for other purposes.
(Held 9/18/06 at the request of Councilmember Young for a work session scheduled for 10/4/06 at 9:a.m. in Committee #2)

HELD

- 06-O-2057 (10) An Ordinance by Councilmember Mary Norwood amending the City of Atlanta's Code of Ordinances by inserting language in the Solid Waste Section that will effectively deal with litter violators; and for other purposes.
(Held 9/18/06 at the request of the Law Department for review of the penalty section)

HELD

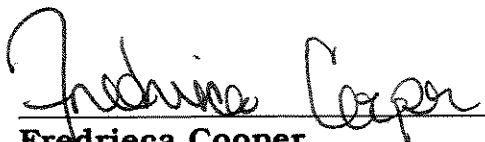
E. COMMITTEE MEMBERS REQUEST TO THE DEPARTMENTS

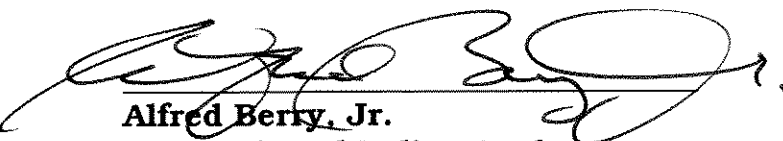
1. Councilmember Young requested that the Department of Watershed Management deliver to his office a copy of a schedule on the Infrastructure Projects and when will they be completed.
2. Councilmember Young requested the Department of Watershed Management to provide a chronology of the (Allied Property) Means Street at the next City Utilities Committee meeting.
3. Councilmember Mitchell requested the Department of Watershed and the property owners get together and discuss what can be done in the near term.
4. Councilmember Shook wanted to know from the Law Department, why claims were denied.

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There being no further business to come before the Committee, the meeting was adjourned at 11:40 a. m.

Respectfully Submitted:


Fredrieca Cooper
Legislative Assistant


Alfred Berry, Jr.
Research and Policy Analyst


The Honorable Ceasar C. Mitchell, Chair
City Utilities Committee